



PATENT
Customer No. 22,852
Attorney Docket No. 05725.0922-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Isabelle ROLLAT et al.) Group Art Unit: 1617
)
Application No.: 10/023,330) Examiner: Gina Yu
)
Filed: December 20, 2001) Confirmation No.: 5705
)
For: RESHAPABLE HAIR STYLING)
RINSE COMPOSITION)
COMPRISING (METH)ACRYLIC)
COPOLYMERS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed before the mailing date of a first Office Action after the filing of a Request for Continued Examination in the above-referenced application.

Copies of the listed foreign and non-patent literature documents are attached.
Copies of the U.S. patent publications are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

With respect to the non-English language documents, Applicants submit the following remarks:

1. **JP 53-012429 A** - This document is believed to be related to U.S. Patent No. 4,196,190, submitted previously.
2. **JP 64-025713 A** - An abstract of this document can be found in the English language abstract from Patent Abstracts of Japan submitted herewith.
3. **JP 02-180911 A** - This document is believed to be related to U.S. Patent No. 5,278,269, submitted herewith.
4. **JP 06-040862 A** - This document is believed to be related to U.S. Patent No. 5,441,730, submitted herewith.
5. **JP 08-231344 A** - An abstract of the disclosure of this document can be found in the English language abstract from Patent Abstracts of Japan.
6. **JP 09-118603 A** - An abstract of this document can be found in the English language Derwent abstract submitted herewith.
7. **JP 2000-086469 A** - This document is believed to be related to U.S. Patent No. 6,368,575, submitted herewith.
8. **JP 2000-086470 A** - This document is believed to be related to U.S. Patent No. 6,214,328, submitted previously.
9. **JP 2000-509735 T** - An abstract of this document can be found in the English language Derwent abstract submitted herewith.
10. **JP 2003-192543 A** - This document is believed to be related to U.S. Patent Application Publication No. 2003/0147833, submitted herewith.

11. **JP 2004-521860 T** - An abstract of this document can be found in the English language Derwent abstract submitted herewith.

The United States Court of Appeals for the Federal Circuit held in *Dayco Products, Inc. v. Total Containment, Inc.*, 329 F.3d 1358 (Fed. Cir. 2003), that an "adverse decision" by another examiner may meet the materiality standard under amended 37 C.F.R. § 1.56 and, thus, applicants should disclose prior rejections of "substantially similar claim[s]" to the Office. Accordingly, although Applicants do not represent that the Office Actions in the co-pending applications are material to the present application and do not admit that any of the other claims are substantially similar, out of an abundance of caution Applicants have listed the substantive Office Actions issued in co-pending applications on the attached PTO/SB/08.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicant reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.


Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please
charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 3, 2005

By: 
Mark D. Sweet
Reg. No. 41,469

Complete if Known

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of

2

Application Number

10/023,330

Filing Date

December 20, 2001

First Named Inventor

Isabelle ROLLAT

Art Unit

1617

Examiner Name

Gina Yu

Attorney Docket Number

05725.0922-00000

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-3,697,643	10-10-1972	Shepherd et al.	
		US-5,039,519	08-13-1991	Inoue et al.	
		US-5,278,269	01-11-1994	Mita et al.	
		US-5,441,730	08-15-1995	Gough et al.	
		US-6,368,575	04-09-2002	Chang et al.	
		US-6,645,478	11-11-2003	Rollat et al.	

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		JP 53-012429 A	03-02-1978	Rohm & Haas Co.		
		JP 64-025713 A	01-27-1989	Kao Corp.		Abstract
		JP 02-180911 A	07-13-1990	Kao Corp.		
		JP 06-040862 A	02-15-1994	Cheseborough-Ponds USA		
		JP 08-231344 A	09-10-1996	Kao Corp.		Abstract
		JP 09-118603 A	05-06-1997	L'Oreal SA		Abstract
		JP 2000-086469 A	03-28-2000	Rohm & Haas Co.		
		JP 2000-086470 A	03-28-2000	Rohm & Haas Co.		
		JP 2000-509735 T	08-02-2000	L'Oreal SA		Abstract
		JP 2003-192543 A	07-09-2003	L'Oreal		
		JP 2004-521860 T	07-22-2004	L'Oreal SA		Abstract

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
		English language abstract of JP 64-025713 A from Patent Abstracts of Japan	
		English language abstract of JP 08-231344 A from Patent Abstracts of Japan	
		English language Derwent Abstract of JP 09-118603 A	

Examiner
SignatureDate
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Complete if Known

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

2

of

2

Application Number

10/023,330

Filing Date

December 20, 2001

First Named Inventor

Isabelle ROLLAT

Art Unit

1617

Examiner Name

Gina Yu

Attorney Docket Number

05725.0922-00000

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No. ⁷	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ⁸ (if known)			
		US-6,667,378	12-23-2003	Rollat et al.	
		US-6,689,346	02-10-2004	Rollat et al.	
		US-6,723,312	04-20-2004	Dupuis	
		US-2003/0147833	08-07-2003	Rollat et al.	
		US-2003/0147836	08-07-2003	Rollat et al.	

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ¹²
		Country Code ⁹ Number ¹⁰ Kind Code ¹¹ (if known)				

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
		English language Derwent Abstract of JP 2000-509735 T	
		English language Derwent Abstract of JP 2004-521860 T	
		Office Action in co-pending Application No. 09/627,055 (Attorney Docket No. 05725.0662-00000), dated October 28, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/022,253 (Attorney Docket No. 05725.0959-00000), dated October 29, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/395,064 (Attorney Docket No. 05725.0911-01000), dated December 29, 2004 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/623,741 (Attorney Docket No. 05725.0663-01000), dated January 11, 2005 (Ex. Venkat)	
		Office Action in co-pending Application No. 10/693,899 (Attorney Docket No. 05725.0912-01000), dated April 18, 2005 (Ex. Zalukaeva)	

Examiner
SignatureDate
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.